

### Remarks/Arguments

Reconsideration of this application is requested.

Claims 1-5 and 8-19 have been rejected by the Examiner under 35 USC § 102(e) as being anticipated by Savage (U.S. Publication No. 2002/0026394A1), (Now U.S. Patent No. 7,236,950).

Savage discloses the following in paragraph [0055].

"[0055] FIG. 2 is a simple schematic overview of key components for an application of an embodiment of the present invention, which provides further detail regarding the flow of information shown in FIG.1. Referring to FIG. 2, the "retail company" 234 is the entity which offers products and services to the retail market and is the client of the financial institution 100. In general, "supply chain vendors" 140 are the entities which provide the products and services that are offered for sale through retail company channels. Computer systems 114 of the financial institution 100 are configured to perform billing functions, such as bill calculation, bill aggregation and statementing, and payment processing. The financial institution's customer service representative (CSR) 101 is the person, for example, at a terminal 103, communicating with the customer 110 and the financial institution's computer systems 114. Bill calculation by computer systems 114 of financial institution 100 involves receiving and validating energy usage data feed, for example, from a vendor 140, such as energy retailer 104 shown in FIG. 1, automatically calculating charges and taxes based on the energy pricing parameters of the energy retailer 104, and generating usage, accounting, and settlement reports to the energy retailer 104. Bill aggregation and statementing by computer systems 114 involves automatically combining, for example, the energy 104, telecommunications 102 and credit card 106 statements, using the financial institution's credit card system interchange network to speed bundle offers to market, calculating bundled discounts, rebates and rewards, and automatically rendering a combined statement, such as paper, fax, web-based or disk to the customer 110. Payment processing by the financial institution's computer systems 114 is the processing of payment received from the customer UO, for example, by check, autopay, or the Internet."

Savages computer system 114 of financial institution 100 receives and validates energy usage data feed from a vendor 140, such as energy retailer 104.

Savage discloses the following in paragraph [0088].

"[0088] FIG. 16 is a flow chart which provides further detail regarding the process of bill inquiry and adjustment regarding energy usage where the inquiry relates to incorrect usage for an embodiment of the present

invention. Referring to FIG. 16, the customer 110 reviews the bill and sends an incorrect usage inquiry to the CSR 101 at S100. At S101, the CSR UH receives and logs the disputed charge to the CAP system 142. The CAP system 142 receives and sends the disputed charge to the dispute tracking system 122 at 5102. The dispute tracking system 122 receives the disputed charge and generates a dispute tracking number to the CSR 101 at 5103. The C5R 101 receives the dispute tracking number and generates a meter re-read request to the wires and pipes database 194 at S104. The wires and pipes database 194 receives the request and sends are-read message to a vendor technician at S105. The vendor technician receives the message, re-reads the meter and logs the re-read data to the wires and pipes database 194 at S106. The wires and pipes database 194 receives the data and generates a re-read data flat file to the energy bill calculator 146 at S107. At S108, the energy bill calculator 146 receives the flat file, logs to the dispute tracking system 122, makes a bill adjustment, and sends the bill adjustment to the retail company bill aggregator 124. The retail bill company aggregator 124 receives the bill adjustment and sends the bill adjustment to the CAP system 142 at 5109. The CAP system 142 receives the bill adjustment, logs the resolved disputed item, and sends the bill adjustment to the dispute tracking system 122 at S110. At S111, the dispute tracking system 122 receives the bill adjustment and closes out the disputed item.”

If a dispute arises Savage's CSR receives a dispute tracking number and generates a meter re-read request to database 194, which sends a re-read message to a vendor technician. The technician re-reads the meter and logs the re-read data to database 194.

Savage discloses the following in paragraph 0098.

[0098] “In an embodiment of the present invention, the bill calculation module 146 receives usage data, such as kWh for electricity or MMCF for gas, and other priced charges from the supply chain vendors 140. In addition to usage data and other related charges, other information is received from the vendor 140 and placed on the final bill to provide additional information about the usage, including, for example, meter number, last reading, current reading, start and end dates. The bill calculation module 146 converts the usage data into a rated bill, including any tax due on the sale. The retail company 234 also provides the financial institution 100 the required information to properly calculate the tax due on each sale. In the process for calculating the bill, initially, the incoming data is validated. Validating the data includes, receiving line items via a flat file from each supply chain vendor 140 or its meter reading vendor, validating the formatting of each line item, and returning any line items that do not match the mutually agreed upon format.”

Savage's bill calculation module 146 receive, usage data such as kWh for electricity from the supply chain vendors 140.

Savage discloses the following in paragraph 0110.

"[0110] In an embodiment of the present invention, the statement generation system 164 takes the charges from the retail company aggregator 124 and the credit card 154 and the telephony 152 direct feeds, places them on a single bill, and applies any overall financial institution discounts. The system 164 renders and delivers a bill to the customer 110 in the customer's preferred format. The retail company charges are combined with credit card and telephony charges. In a combined bill for the customer 110 the retail company charges are combined with the customer's credit card charges and any direct telephony charges for the billing cycle. Any financial institution overall discounts are applied. Any overall financial institution discounts based on the retail company plus the financial institution plus telephony purchases by the individual customer are applied. A discount is given to the customer 110 for receiving a combined bill. Financial institution affinity points are calculated and applied. The applicable affinity points offered by the financial institution 100 or telephony for the customer based on the overall retail company plus financial institution plus telephony purchases are calculated. The bill or statement is rendered in the format desired by the customer 110 and delivered to the customer 110 by paper invoice, electronic (Web based) invoice, or electronic (CD-ROM or floppy) invoice. FIGS. 24-29 show a sample of the combined statement generated for the customer 110 by the statement generation system 164 for an embodiment of the present invention. FIG. 30 depicts the annual expenditures by industry."

Savage's generation system 164 takes the charges from the retail company aggregator 124 and the credit card 154 and the telephone 152 and places them on a single bill in the customer's preferred format.

Savage does not disclose or anticipate the following steps of claim 1 and those claims dependent, therein namely, collecting by a first computer unit usage information by a direct feed of raw data of the service from a meter by a customer from one of a first tier of the multiple tiers or a third party. Applicant received usage information by a direct feed of raw data of the service from a meter.

Claims 6 and 7 have been rejected by the Examiner under 35 USC § 103(a) as being unpatentable over Savage et al. (U.S. Publication No. 2002/002639A1 in view of Carlin (U.S. Patent No. ,6,697,843B1).

Savage discloses the following in page 15 paragraph 0111.

[0111] ."In an embodiment of the present invention, the payment processing system receives payments, posts payments to account, and processes. Payments are received, for example, by check, autopay, or the Internet.

Payments are validated, and exceptions are processed. Payments are posted to accounts by applying payment amounts to accounts and decreasing the balance in accordance to the amount paid. Processing address changes includes receiving address changes and applying address changes to the customer database 184. The receivable management system involves financing; account management, risk management, and collections. Financing includes, for example, identifying client charges, applying pricing rules, forwarding payment to clients, and performing audits, as well as funding."

Carlin discloses the following in Col. 3 lines 34-52.

"The mail production facility 1 includes printers, inserters, computers, etc., for converting the electronically transmitted variable and fixed data into the finished mail piece. The mail production facility 1 holds the incoming data for a limited time, advantageously seventy-two (72) hours, and then flushes the data. This above described process is the advantage that eliminates the need for a mail production facility 1 to store forms, which would then cause the inherent uncertainties of multiple copies of forms which must be updated.

The mail production facilities 1 could also be located on a worldwide basis, and hence use international conventions for determining and correcting addresses.

The print site is included at the mail production facility 1. A high speed printer and inserter is provided at the print site. If a printer at a mail production facility becomes unavailable, a feature of the system is that the printing can be distributed to a second mail production facility 1, such as an adjacent geographically related site."

Carlin discloses the following in col. 4, lines 37-65.

"FIGS. 2A and 2B illustrate the customer gateway in more detail. FIG. 2A is a shared customer gateway 9, with multiple mailers 15: whereas FIG. 2B is a dedicated gateway 9, with a single mailer 15. A mailer 15, or customer, has collected variable data, such as customer names, addresses, billing amount, etc. in local electronic files on a computer. The computer at the mailer connects to the gateway 9 via the connection 11. One appropriate connection 11 is TCP/IP over dial-up access. The mailer 15 transmits the variable data to the gateway 9.

The gateway preferably performs a data conversion on the variable data, in order to transform the variable data into a standardized format. Address hygiene is also preferably performed on the addresses in the variable data, according to the usual methods.

Reference is made to FIG. 7. At the gateway 9, the variable data 701 is sorted according to address, by geographic area. The geographic areas correspond to mail production sites. This can readily be performed in two steps. In the U.S., the variable data can be sorted by a 3-digit zip code into

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sorted data 703. The sorted variable data is then segmented into segmented data 705a, 705b. Segmented means that data for certain zip codes are grouped according to the geographically nearest mail production facilities. (It is possible to group geographically related mail by other methods). Each geographic group of segmented, sorted variable data is transmitted via connection 13 (such as TCP/IP over a fully meshed frame relay network) to the corresponding mail production facility 1 discussed below."

Carlin discloses a mail production facility. Carlin is not concerned with the location of the mail production facility. Carlin is sorting by zip codes to take advantage of the United States Post Office work sharing discounts.

In claim 6 applicant permits printing the bill at an optimal mailing location based on address information of the customer; and mailing the bill from the optimal mailing location. By printing the bill at the optimal mailing location. Applicant reduces the time that it takes the post to delivery the bill. The Art cited by the Examiner does not disclose or anticipate the foregoing.

Please charge any additional fees that may be required or credit any overpayment to Deposit Account Number 16-1885.

In view of the above claims 1-18 are patentable. If the Examiner has any questions would the Examiner, please call the undersigned at the telephone number noted below.

Respectfully submitted,

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